

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

DANNY RUSSELL, K3234

PLAINTIFF

VS.

4:07CV121-TSL-LRA

CHRISTOPHER EPPS, ET AL.,

DEFENDANTS

AMENDED AGREED ORDER OF SETTLEMENT AND DISMISSAL

The Court having been advised that the parties have compromised and settled the dispute arising from this cause of action, it is hereby

ORDERED:

That the above styled and numbered civil action be, and hereby is dismissed with prejudice, subject to the following provisions:

Defendants agree to award Plaintiff trusty time allowed by law beginning at the time Plaintiff was classified on August 9, 2000, giving the Plaintiff a tentative Earned Release Supervision date of November 30, 2008. [*as of August 14, 2008 as calculated (d.r.)*]

The parties expressly acknowledge that no property or liberty right attaches to this agreement except those rights already guaranteed by law.

It is expressly understood by the parties that the provisions of this order do not constitute a "prevailing" or an admission of liability by the Defendants or a recognition or vindication of Plaintiff's constitutional rights and are agreed solely as a compromise to avoid expense and to terminate all controversy and claim for damages arising from the

incidents set forth in Plaintiff's complaint herein.

The parties hereby obligate themselves to seek in good faith an informal resolution to any dispute as to term or applicability of this order prior to instituting any recommended action relative thereto.

Each side shall bear its own costs incurred including all attorneys' fees and expenses pursuant to the instant motion.

SO ORDERED AND ADJUDGED, this, the 10th of September, 2008.

/s/Tom S. Lee

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/Danny Russell

DANNY RUSSELL, K3234

PLAINTIFF PRO SE

/s/Pelicia E. Hall

PELICIA E. HALL, SAAG

ATTORNEY FOR DEFENDANT

/s/Charles B. Irvin

CHARLES B. IRVIN, SAAG

ATTORNEY FOR DEFENDANT